

**House File 125 - Introduced**

HOUSE FILE 125  
BY WINDSCHITL

**A BILL FOR**

1 An Act requiring testing of family investment program  
2 applicants and participants for use of controlled  
3 substances.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 239B.2, Code 2011, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 9. *Controlled substance testing.* As  
4 authorized by the federal Personal Responsibility and Work  
5 Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, §  
6 902, as codified in 21 U.S.C. § 826b, as a condition of initial  
7 eligibility for adult applicants, the department shall require  
8 a test for use of controlled substances. As a condition of  
9 continuing eligibility for adult participants, the department  
10 shall require periodic testing for such use. If there is  
11 a positive test result indicating the use of a controlled  
12 substance that is not authorized by a qualified health care  
13 provider, the department shall require action by the applicant  
14 or participant to address the controlled substance use. An  
15 applicant or participant who does not comply with the required  
16 action shall not receive program benefits while noncompliant.

17 EXPLANATION

18 This bill directs the department of human services to  
19 require initial and periodic testing of family investment  
20 program applicants and participants for the use of controlled  
21 substances. The testing requirement is authorized by federal  
22 law cited in the bill.

23 If there is a positive test result indicating the use of  
24 a controlled substance that is not authorized by a qualified  
25 health care provider, the department is directed to require  
26 action by the applicant or participant to address the  
27 controlled substance use. An applicant or participant does not  
28 receive program benefits while noncompliant with the required  
29 actions.